

## E-commerce and Invasive Species: Notes on Process and Review of Final Drafts

**Amendments to recommendations** (included in ISAC May 2011 meeting materials based on input from final round of ISAC, NISC agency and expert review):

Recommendation 1, 3<sup>rd</sup> line: “such as” replaced by “including those associated with”

Recommendation 1 new text:

“U.S. Fish and Wildlife Service (DOI) and Animal and Plant Health Inspection Service (USDA): Expedite listing processes for injurious wildlife and noxious plants under the Lacey Act and the Plant Protection Act to better assess and address emerging invasive species threats, including those associated with e-commerce.”

Recommendation 4, 1<sup>st</sup> and 2<sup>nd</sup> lines: list USDA/APHIS target agency and move reference to SITC into the text of recommendation in order to maintain a consistent format with other recommendations.

Recommendation 4 new text:

“USDA/APHIS: Expand the scope of web crawlers and related enforcement and monitoring activities used by the Smuggling Interdiction and Trade Compliance (SITC) unit to include a broader array of invasive plants and plant pests, and enhance cooperation with USFWS to address injurious wildlife.”

### **Timeline and process for development of white paper:**

- ISAC Meeting (June 2010, San Francisco): Prevention subcommittee listed e-commerce as a potential concern and area for future work.
- ISAC Meeting (December 2010, Washington): Prevention subcommittee selected e-commerce as a priority. NISC staff asked to identify background information and produced a scoping paper and annotated bibliography.
- ISAC Meeting (June 2011, Denver): Prevention subcommittee reviewed materials and other submitted information. Developed a draft outline for a white paper and agreed to request a special session at the next ISAC on the issue.
- Prevention subcommittee (June – December 2011): Teleconferences held to plan special session around sub-themes and particular speakers. Input on activities and authorities solicited from key federal agencies.
- ISAC Meeting (December 2011, Washington): Special session on e-commerce convened with experts from various agencies and industry groups. Prevention subcommittee met twice to refine outline, identify major themes for the white paper and assign tasks for completion.
- Prevention subcommittee
  - December 2011 – April 2011: White paper text drafted with teleconferences to discuss structure, major points and recommendations. Additional experts (non-ISAC and non-federal) brought into the process and initial drafts were produced and reviewed.
  - 20 April 2012: draft white paper submitted for review to ISAC, NISC member agencies and other experts involved in the process (e.g., November 2011 special session). Recommendations submitted for inclusion in background materials for ISAC May 2011 meeting in Portland, OR.

- April – May 2012: Comments reviewed and incorporated by drafters into final draft. Most were for clarification of particular points and references with only a minor tweak to one of the recommendations (see synopsis below).
  - 15-18 May 2012: Final draft of white paper circulated to ISAC in preparation for discussion at ISAC's May 2011 meeting.
- ISAC Meeting (May 2012, Portland): Final draft of white paper and recommendations submitted for adoption.

**Summary of comments received during ISAC and NISC review:**

- APHIS: minor text edits; clarification and additions re application of Plant Protection Act and Animal Health Protection Act; contextual questions about recommendations; some suggestions about activities by non-federal actors and potential agency responses to recommendations.
- DHS: clarification on DHS authorities.
- USFWS: minor text edits; clarification and additions re application of Lacey Act titles 16 and 18; contextual questions about recommendations.
- Aquaterinary: suggested context on APHIS and other regulations associated with aquatic animals.
- Auburn University: clarification and additional context for citations and figures in wildlife imports box.
- Maine Department of Agriculture: minor text edits.
- Maryland Nursery and Landscape Association and APHIS: clarification on federal listing status of kudzu.